

1. NFS has conducted a reasonable investigation for information regarding transactions in Dividended Scilex Stock and Scilex Common Stock from the issuance of Dividended Scilex Stock on January 19, 2023, to the present (the “Relevant Period”). Based on this investigation, NFS states as follows:

2. Paragraph 1(f) of the Order requires Defendants to “provide an accounting of all profits received from the naked-short selling of Dividended Scilex Stock and Scilex Common Stock, including all interest charged to short-sellers, within five (5) business days of the entry of this Order.” NFS has not engaged in or to its knowledge facilitated any naked-short sales of Dividended Scilex Stock or Scilex Common Stock during the Relevant Period. Accordingly, NFS hereby reports based on its reasonable investigation that it has received no such profits on account of such activity during the Relevant Period.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 22, 2023.

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